

NOV 06 2019

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
) NO. 3:19-cr-00274
v.)
) 18 U.S.C. § 922(g)(1)
) 18 U.S.C. § 924
JESSE APPLEGATE) 21 U.S.C. § 841(a)(1)

AB
DEPUTY CLERK

I N D I C T M E N T

COUNT ONE

THE GRAND JURY CHARGES:

On or about October 16, 2019, in the Middle District of Tennessee, **JESSE APPLEGATE** did knowingly and intentionally possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of 3,4-Methylenedioxymethamphetamine (MDMA), a Schedule I controlled substance; a quantity of a mixture and substance containing a detectable amount of cocaine base (commonly known as crack cocaine) and a quantity of a mixture and substance containing a detectable amount of methamphetamine, both of which are Schedule II controlled substances; a quantity of a mixture and substance containing a detectable amount of buprenorphine, a Schedule III controlled substance; and a quantity of a mixture and substance containing a detectable amount of diazepam, a Schedule IV controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1).

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

On or about October 16, 2019, in the Middle District of Tennessee, **JESSE APPLEGATE**, knowing he had previously been convicted of a crime punishable by imprisonment for a term

exceeding one year, knowingly possessed a firearm, to wit, a Smith & Wesson M&P-15 5.56mm caliber rifle, and the firearm was in and affecting commerce.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924.

FORFEITURE ALLEGATION

1. The allegations contained in this Indictment are re-alleged and incorporated by reference as if fully set forth in support of this forfeiture.

2. Upon conviction of Count One or Two, **JESSE APPLEGATE** shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853:

- (A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation.

3. The property to be forfeited includes a money judgment in an amount to be determined, representing the amount of proceeds **JESSE APPLEGATE** obtained, directly or indirectly, as a result of such offense and the value of the property used or intended to be used to commit such offense.

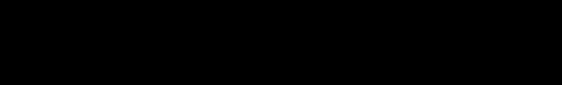
4. Upon conviction of Count One or Two, **JESSE APPLEGATE** shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) by Title 28, United States Code, Section 2461(c):

- (A) any firearm or ammunition involved in or used in a knowing violation of the offense, or intended to be used in the offense, including a Smith & Wesson, M&P-15, 5.56mm caliber rifle bearing serial number TF17233 and associated 5.56mm ammunition and magazines.

5. Upon conviction of Count One or Two, **JESSE APPLEGATE** shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) by Title 28, United States Code, Section 2461(c):

- (A) any firearm or ammunition involved in or used in a knowing violation of the offense, and
- (B) any firearm or ammunition intended to be used in the offense, where such intent is demonstrated by clear or convincing evidence, including the Smith & Wesson, M&P-15, 5.56mm caliber rifle bearing serial number TF17233; and associated 5.56mm ammunition and magazines.

A TRUE BILL


FOREPERSON

DONALD Q. COCHRAN
UNITED STATES ATTORNEY


JOSH KURTZMAN
ASSISTANT UNITED STATES ATTORNEY